

FINAL BILL REPORT

SHB 2933

C 351 L 06

Synopsis as Enacted

Brief Description: Addressing death benefit payments for law enforcement officers' and fire fighters' retirement system, plan 2.

Sponsors: By House Committee on Appropriations (originally sponsored by Representatives P. Sullivan, Curtis, Simpson, Conway, Hinkle, Kenney, Williams, Ericks, Sells, Rodne, McDonald, Kilmer and Green; by request of LEOFF Plan 2 Retirement Board).

House Committee on Appropriations
Senate Committee on Ways & Means

Background:

Survivors of Law Enforcement Officers' and Fire Fighters' Plan 2 (LEOFF 2) members who die before retirement may be eligible for several benefits from LEOFF 2. If a LEOFF 2 member dies with less than 10 years of service, the beneficiary receives the member's accumulated contributions. The beneficiary of a member with more than 10 years of service may choose 150 percent of the member's contributions or a monthly benefit calculated as if the member had selected a joint-and-100 percent survivor option and had retired on the date of death.

Additional benefits are available to survivors of LEOFF 2 members who die in the line of duty. Survivors of LEOFF 2 members who die in the line of duty have received a \$150,000 duty-related death benefit payable from their members' respective retirement plans since 1996. In addition, public safety officers are eligible under the federal Public Safety Officers Benefit Act of 1976 for an inflation-indexed lump-sum death benefit of approximately \$283,000.

The spouse or dependents of an individual covered by Social Security may be eligible for a death benefit if they meet age, income, or other restrictions. The age eligibility for the Social Security death benefit is based on an age 65 eligibility for full benefits, and reduced benefits are available beginning at age 60. The size of the Social Security death benefit is dependent on the contributions the deceased made to Social Security during the member's career. Many members of LEOFF 2 do not participate in Social Security.

A workers' compensation death benefit may also be payable from the Department of Labor and Industries for death resulting from injury sustained in the course of employment. A lump sum benefit may be payable from the Department of Labor and Industries for burial expenses, as well as a monthly benefit of 60 percent of gross wages up to 120 percent of the state's average wage (about \$3,900 for fiscal year 2004).

Beginning in 1987, the Legislature enacted presumptions that when certain diseases were contracted by fire fighters they were caused by job-related exposure. For these "occupational diseases," the work-related cause is established for workers' compensation benefits purposes. Initially, the occupational disease presumption applied only to respiratory disease, but in 2002 the Legislature expanded the list of occupational diseases for fire fighters to include more conditions, including other exposures to smoke or toxic substances, certain types of cancer, and infectious diseases.

Summary:

The survivor of a LEOFF 2 member or retiree who dies as a result of occupational disease arising from employment is eligible to receive a \$150,000 death benefit, like survivors of LEOFF 2 members or retirees who die from injuries sustained in the course of employment..

Votes on Final Passage:

House	96	0
Senate	48	0

Effective: June 7, 2006